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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RFA 225/2026, CM APPL. 15314/2026, 15316/2026 & 15317/2026

KAPIL SHARMA SINCE DECEASED THROUGH SARITA
SHARMA & ANR.Appellants

Through: Mr. Ghanshyam Singh, Adv.

versus

GULAB SINGHRespondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **12.03.2026**

CM APPL. 15315/2026

1. Exemption allowed, subject to all just exceptions.
2. Application is disposed of.

RFA 225/2026, CM APPL. 15314/2026, 15316/2026 & 15317/2026

3. Appeal under Section 96 read with Order XLI of CPC has been filed on behalf of LR's of deceased Appellant Kapil Sharma against Judgment / Decree dated 07.02.2025, whereby the Suit of the Plaintiff for recovery of Rs.5,50,000/- against the Respondent has been dismissed.
4. Learned counsel for the Appellants that a cheque of Rs.5,50,000/- was issued by the Defendant in favour of the Plaintiff as guarantor for the bayana of Rs.5,50,000/- given by the mother-in-law of Plaintiff, via bayana receipt of October, 2013. Defendant / Respondent had stood as guarantor, however, transaction did not go through. After which, Plaintiff / Appellant had filed Suit only against the Defendant / Respondent Gulab Singh for recovery of Rs.5,50,000/-, which admittedly had been given to the mother-in-law of the



Plaintiff.

5. Learned Trial Court has dismissed the Suit by observing that bayana receipt was between Smt. Sujata Sharma and Sh. Vinod Kumar Kohli and there is no liability shown of the Defendant / Respondent Gulab Singh to refund Rs.5,50,000/-.
6. Learned counsel for the Appellants submits that he shall file certified copy of the learned Trial Court Record within 10 days.
7. Accordingly, the same be filed within 10 days.
8. E-TCR be summoned before the next date of hearing.
9. List on 20.04.2026.

NEENA BANSAL KRISHNA, J.

MARCH 12, 2026/R